

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

SHANDRA FORSHA,	:	Case No. 1:17-cv-750
	:	
Plaintiff,	:	
	:	
v.	:	
	:	
MIAMI VALLEY HOSPITAL, <i>et al.</i> ,	:	
	:	
Defendants.	:	
	:	

NOTICE OF REMOVAL

1. Under 28 U.S.C. § 1442, Defendant Aaron Joseph Schneider, M.D., is removing to this Court a civil action originally filed in the Court of Common Pleas of Warren County, Ohio.

2. On October 6, 2017, Plaintiff Shandra Forsha filed a document titled “Complaint” in the Warren County Court of Common Pleas. A copy of the complaint is attached as Exhibit A. Defendant Aaron Joseph Schneider was served and filed an answer on October 18, 2017.

3. This action is removable under 28 U.S.C. § 1442(a)(1). Defendant Aaron Joseph Schneider is an employee and officer of the United States of America and was acting within the scope of his federal employment with regard to the allegations made in Plaintiff’s Complaint.

4. On November 2, 2017, Benjamin C. Glassman, the United States Attorney for the Southern District of Ohio, certified that Aaron Joseph Schneider

was acting within the scope of his employment and office as an employee of the United States Government at the time of the incidents out of which Plaintiff's claims arose. The Court is respectfully referred to the Certification of Scope of Employment, attached as Exhibit B to this Notice.

5. Pursuant to 28 U.S.C. § 2679(d)(2), this action may be removed at any time before trial. Accordingly, this removal is timely.

6. A copy of this Notice of Removal will be filed promptly with the Clerk of the Court of Common Pleas of Warren County, Ohio, which will effect the removal. *See* 28 U.S.C. § 1446(d).

7. A copy of the other Defendants' answer from the state court proceedings is attached as Exhibit C.

Respectfully submitted,

BENJAMIN C. GLASSMAN
United States Attorney

s/Margaret A. Castro
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CERTIFICATE OF SERVICE

I certify that on November 8, 2017, the foregoing Notice of Removal was presented to the Clerk of the Court for filing and uploading into the CM/ECF system, and I certify that on the same date a copy of the foregoing was sent by first class mail to:

Joseph W. Shea III, Esq.
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